

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2875 - SB 2769

March 10, 2022

SUMMARY OF BILL: Prohibits a correctional institution from using restraints on a prisoner or detainee known to be pregnant or postpartum unless the corrections official makes an individualized determination that the prisoner or detainee presents an extraordinary circumstance that dictates restraints be used. Outlines exceptions and documentation required when restraints are used in such circumstances.

Requires the Commissioner of the Department of Correction (DOC) to submit an annual report to the General Assembly on the use of restraints on incarcerated women who are pregnant or going through postpartum. Requires DOC to create a publicly available searchable database that includes an account of every instance of prisoner restraints used. Requires the Commissioner of DOC and administrator of each county correctional institution to require annual training of staff members who transport or supervise female prisoners on such requirements.

Requires the Comptroller of the Treasury (COT) to audit the use of restraints on pregnant prisoners and detainees and research and report on conditions for pregnant prisoners and detainees in correctional institutions every two years.

FISCAL IMPACT:

Increase State Revenue – \$75,000/FY22-23/Strategic Technology Solutions

Increase State Expenditures – \$75,000/FY22-23/Department of Correction

Assumptions:

- The proposed legislation defines a correctional institution as a facility under the authority of this state or a county or municipal government that has the power to detain or restrain, or both, a person under the laws of the state.
- Based on information provided by the DOC, the proposed legislation will necessitate the development of a new application for a publicly available searchable database, performed by the Department of Finance and Administration's Division of Strategic Technology Solutions (STS), resulting in a one-time increase in state expenditures estimated to be \$75,000 in FY22-23 for DOC, and a corresponding one-time increase in revenue to be \$75,000 to STS as payment for such work.
- The COT will conduct the required audit utilizing existing resources without an increased appropriation or reduced reversion.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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